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June 7, 2015

VIA ECF

Honorable Chief Judge Carol Bagley Amon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**RE: Case No. 1:15-cv-01518-CBA-SMG
Schwartz v. Enhanced Recovery Company, LLC**

Dear Honorable Chief Judge Amon:

I represent the plaintiff in the above referenced matter. On May 26, 2015, Enhanced Recovery Company, LLC (the “Defendant”) filed a letter motion for pre-motion conference (Docket No. 8). On May 27, 2015, Your Honor scheduled a pre-motion conference for July 10, 2015. On June 2, 2015, due to a personal family emergency, I filed a letter motion for extension of time to file response to Defendant’s letter motion for pre-motion conference (Docket No. 10). On June 2, 2015, Your Honor granted the letter motion for an extension to June 16, 2015 to respond to the request for a pre-motion conference.

Defendant’s letter motion for pre-motion conference (Docket No. 8) requested “*a pre-motion conference concerning a motion to dismiss or, alternatively, a motion to stay this action pursuant to the “first-filed” case doctrine*”.

On June 5, 2015, Defendants counsel informed me that the other two cases against the Defendant have been voluntarily dismissed. Those case captions are *Miriam Goldman v. Enhanced Recovery Company, LLC*, Case No.

CV 15-1092 (SJ), and *Sima Isaacson v. Enhanced Recovery Company, LLC*, Case No. CV 15- 1295 (KAM).

Any motion which would be made to dismiss or to stay this action pursuant to the “first-filed” case doctrine is now moot since the other cases have all been dismissed.

Although the Defendant is always free to request pre-motion conference for permission to file motion to dismiss, the record now reflects that the other cases have been dismissed and the issue of relating, staying or reassigning this case to those cases is now moot. In the interest of a useful expenditure of the parties time, we ask that the court Cancel the Pre Motion Conference scheduled for July 10, 2015 unless the Defendant can now show a reason to seek permission to file a motion to dismiss.

Very truly yours,

/s/ Maxim Maximov

Maxim Maximov, Esq.